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ROSWELL R. ROBERTS III

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EXAMINER

KADING, JOSHUA A

ART UNIT

PAPER NUMBER

2661

DATE MAILED: 06/30/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

## Office Action Summary

Application No.

09/425,118

Applicant(s)

ROBERTS ET AL.

Examiner

Joshua Kading

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 March 2005.
- 2a) ☐ This action is FINAL. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 2-18, 20-25 and 40-42 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 2-18, 20-25 and 40-42 is/are rejected.
- 7) ☒ Claim(s) 3, 6, 11, 12, 22, 23, and 25 is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 October 1999 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- ☒ Notice of References Cited (PTO-892)
- ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- ☐ Notice of Informal Patent Application (PTO-152)
- ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### ***Claim Objections***

1. Claims 3, 6, 11, 12, 22, 23, and 25 are objected to because of the following informalities:

Claim 3, line 3 and claim 12, line 3, "said signal" should be changed to --said signals-- to be grammatically correct and be consistent with previous claim language.

Claim 6, line 3 and claim 25, line 7, "the IP address" should be changed to --an IP address-- because there is no antecedent basis for an IP address.

Claim 11, line 7, "may be stored" should be changed to --are storable-- to be consistent with other claim language.

Claim 22, line 7, "said flash memory" should be changed to --a flash memory-- because there is no antecedent basis for this limitation.

Claim 23, the last line should have a period inserted at the end.

Applicant is encouraged to review the claims for other spelling and grammatical errors that may have been missed.

Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

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3. Claim 40 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement. The claim(s) contains subject matter which was not described in the specification in such a way as to reasonably convey to one skilled in the relevant art that the inventor(s), at the time the application was filed, had possession of the claimed invention. The newly added limitation "wherein said integrated satellite receiver and router does not include a satellite transmitter" cannot be found, explicitly or implicitly, in any portion of the originally filed specification.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 2, 4, 7, 10, 11, 13, 16, 20, 40, 41, and 42 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. Patent 6,011,548, Thacker.

Regarding claims 2 and 11, Thacker discloses, "a satellite data delivery system including:

a satellite transmitting signals (*figure 2, "satellite feed" indicates transmission of satellite signals*); and

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a downlink receiver for receiving signals from a satellite, said downlink receiver including an integrated satellite receiver and router (*figure 2, element 50 is a generic type of satellite receiver containing the satellite signal receiver/demodulator 51 and router 57*);

wherein said signals are TCP/IP packets and said TCP/IP packets are routed by said integrated satellite receiver and router (*col. 1, lines 67-col. 2, line 1*),

wherein said signals are storable as files in said integrated satellite receiver and router for later further transmission (*figure 2, element 52 as read in col. 4, lines 1-2 where delivering content means the content must be stored for processing and delivery*), and

wherein said integrated satellite receiver and router further includes an Ethernet transceiver for transmitting at least some of said signals (*figure 2, element 56*)."

Regarding claims 4 and 13, Thacker discloses, "wherein said integrated satellite receiver and router further includes an HTTP server for communicating with an external device via a web browser (*figure 2, element 54*)."

Regarding claims 7 and 16, Thacker discloses, "wherein said integrated satellite receiver and router further includes a confirmation web client for sending confirmations to a remote location when predetermined events occur (*col. 4, lines 57-65 where, for example, the HTTP server delivers web content requested by a user that occurs when the user makes such a request*)."

Regarding claims 10 and 41, Thacker discloses similar limitations as in claims 2 and 11, including, "wherein said integrated satellite receiver and router is implemented on a single circuit board (*figure 2, element 50 where the electronic components are inherently made on circuit board*)."

Although claim 40 has been rejected under 35 U.S.C. 112, first paragraph for added new matter, the following rejection will be used provided applicant shows sufficient proof to overcome the new matter rejection.

Regarding claim 40, Thacker discloses similar limitations as in claims 2 and 11, including, "wherein said integrated satellite receiver and router does not include a satellite transmitter (*figure 2 where there is only a satellite receiver and no satellite transmitter*)."

Regarding claim 42, Thacker discloses similar limitations as in claims 2 and 11, including, "wherein said integrated satellite receiver and router share a single connection to a backplane (*figure 2, element 58 is the backplane connected through a single connection*)."

Regarding claim 20, Thacker discloses, "an integrated satellite receiver and router including:

a satellite receiver for receiving tiles (*figure 2, element 51*);

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an Ethernet-capable router for routing TCP/IP packets representing said files (*figure 2, element 56 and col. 1, lines 67-col. 2, line 1*); and

an HTTP server within said integrated satellite receiver and router for communicating with an external device via a web browser (*figure 2, element 54 as read in col. 4, lines 57-65*)."

### ***Claim Rejections - 35 USC § 103***

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 3, 8, 9, 12, 17, 18, and 22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thacker in view of U.S. Patent 6,584,082 B1, Willis et al. (Willis).

Regarding claims 3 and 12, Thacker lacks what Willis discloses, "wherein said integrated satellite receiver and router further includes a multicasting processor to provide multicasting of at least some of said signals (*col. 11, lines 30-36*)."

It would have been obvious to one of ordinary skill in the art at the time of invention to include the multicasting of some of said signals for the purpose of transmitting data to a targeted group of users. The motivation for multicasting data to a targeted group of users is to provide efficient use of resources (*Willis, col. 1, lines 54-57*)."

Regarding claims 8 and 17, Thacker lacks what Willis discloses, "wherein said integrated satellite receiver and router further includes an audio subsystem for combining a received audio signal with locally inserted audio signals (*col. 8, lines 62-63*). It would have been obvious to one of ordinary skill in the art at the time of invention to include the audio subsystem for the purpose of transmitting a variety of content (including audio) to users. The motivation for sending a variety of content to users is to satisfy consumer demand, thus attracting and retaining customers (*Willis, col. 2, lines 51-60*)."

Regarding claims 9 and 18, Thacker lacks what Willis discloses, "wherein said integrated satellite receiver and router further includes a command processor performing at least one of...router and prompting said integrated satellite receiver and router to transmit said received signals (*col. 11, lines 38-42*). It would have been obvious to one of ordinary skill in the art at the time of invention to include the control processor to control the transmitting of signals for the purpose of transmitting a variety of requested user content. The motivation for controlling the transmission of data to users is to allow the user requests to be accommodated and the variety of user requested content to be sent, thus satisfying their consumer demand (*Willis, col. 2, lines 51-60*)."

Regarding claims 22, Thacker discloses similar limitations to claim 20. However, Thacker lacks what Willis discloses, "a command processor performing at least one



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of...prompting said router to route said files (*col. 11, lines 38-42*).” It would have been obvious to one of ordinary skill in the art at the time of invention to include the control processor to control the transmitting of signals for the purpose of transmitting a variety of requested user content. The motivation for controlling the transmission of data to users is to allow the user requests to be accommodated and the variety of user requested content to be sent, thus satisfying their consumer demand (*Willis, col. 2, lines 51-60*).”

8. Claims 5, 14, and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thacker in view of U.S. Patent 6,522,638 B1, Haugli et al. (Haugli).

Regarding claims 5 and 14, Thacker lacks what Haugli discloses, “wherein said integrated satellite receiver and router further includes a DNS resolver for translating mnemonic IP addresses into numerical IP addresses and vice versa (*col. 5, lines 43-51 where the request and retrieval of the IP address is an act of translation*).” It would have been obvious to one of ordinary skill in the art at the time of invention to include the DNS resolver for the purpose of having a database of translatable IP addresses. The motivation for having translatable IP addresses allows users outside their domain to still request and obtain information within a different domain.

Regarding claim 24, Thacker discloses similar limitations to claim 20. However, Thacker lacks what Haugli discloses, “a DNS resolver for translating mnemonic IP

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addresses into numerical IP addresses and vice versa (*col. 5, lines 43-51 where the request and retrieval of the IP address is an act of translation*).” It would have been obvious to one of ordinary skill in the art at the time of invention to include the DNS resolver for the purpose of having a database of translatable IP addresses. The motivation for having translatable IP addresses allows users outside their domain to still request and obtain information within a different domain.

9. Claims 6, 15, 23, and 25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thacker in view of U.S. Patent 6,289,377 B1, Lalwaney et al. (Lalwaney).

Regarding claims 6 and 15, Thacker lacks what Lalwaney discloses, “wherein said integrated satellite receiver and router further includes a DHCP processor for dynamically configuring the IP address of said integrated satellite receiver and router (*col. 3, lines 57-65*).” It would have been obvious to one of ordinary skill in the art at the time of invention to include the DHCP processor for the purpose of allowing the satellite receiver/router to access a computer network. The motivation for allowing a satellite to access a computer network is so that a user can quickly access and retrieve high bandwidth data (*Lalwaney, col. 3, lines 9-17*).

Regarding claim 25, Thacker discloses similar limitations to claim 20. However, Thacker lacks what Lalwaney discloses, “a DHCP processor for dynamically configuring

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the IP address of said integrated satellite receiver and router (*col. 3, lines 57-65*)." It would have been obvious to one of ordinary skill in the art at the time of invention to include the DHCP processor for the purpose of allowing the satellite receiver/router to access a computer network. The motivation for allowing a satellite to access a computer network is so that a user can quickly access and retrieve high bandwidth data (*Lalwaney, col. 3, lines 9-17*).

Regarding claim 23, Thacker discloses similar limitations to claim 20. However, Thacker lacks what Lalwaney discloses, "an IGMP multicasting processor for multicasting of a received data stream (*col. 3, lines 57-65*)." It would have been obvious to one of ordinary skill in the art at the time of invention to include the multicasting data for the purpose of delivery high bandwidth content to a group of users (i.e. multicasting). The motivation for doing this would be to allow the users a quick way to access and retrieve the high bandwidth data (*Lalwaney, col. 3, lines 9-17*).

10. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Thacker in view of U.S. Patent 5,930,515, Ducharme et al. (Ducharme).

Regarding claim 21, Thacker lacks what Ducharme discloses, "a flash memory storage for storing said files (*Abstract, lines 10-16*)." It would have been obvious to one of ordinary skill in the art at the time of invention to include a flash memory for the purpose of storing data. The motivation for using a flash memory is that it is non-volatile,

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i.e. the memory does not need a power source to retain the data, thus allowing for semi-permanent data storage (*Ducharme, col. 1, lines 38-39*).

### ***Response to Arguments***

11. Applicant's arguments with respect to claims 2-18, 20-25, and 40-42 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Joshua Kading whose telephone number is (571) 272-3070. The examiner can normally be reached on M-F: 8:30AM-5PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chau Nguyen can be reached on (571) 272-3126. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



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